

RECORDED

EPC:EGK

July 29, 1943

SAC, Miami

Re: Cooperation of Miami Police
Murder of Sir Harry Oakes

Dear Sir:

Press reports indicate that the death of Sir Harry Oakes in the Bahamas has been under investigation by Captain Edward W. Melchen and Captain James O. Barker of the Miami Police Department. It is further indicated that when these police officers uncovered certain physical evidence pertinent to the investigation they brought it to New York City to have blood tests made by Dr. Alexander Wiener of the Chief Medical Examiner's office in New York City. Newspaper reports also suggest that other bits of evidence were carried by these officers to New York for analysis.

The Bureau desires that you endeavor to discreetly ascertain what prompted these Miami police officers to ignore the facilities of the Bureau's Laboratory and carry this evidence to New York City. The Bureau is particularly anxious to determine whether this action on the part of these officers is an indication of poor cooperation on their part and on the part of the Miami Police Department with the FBI in matters of a general criminological nature.

This matter should be given very prompt attention and should receive your personal attention.

Very truly yours,

John Edgar Hoover
Director

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Harbo _____
Mr. Hendon _____
Mr. McGuire _____
Mr. Mumford _____
Mr. Piper _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

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[Handwritten signatures and initials]



LBN:RC

**Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.**

July 24, 1943

MEMORANDUM FOR MR. TOLSON

RE: MIAMI POLICE DEPARTMENT

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Harbo _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Tele. Room _____
Mr. Nease _____
Miss Beahm _____
Miss Gandy _____

For record purposes there is attached hereto a clipping from the Washington Times-Herald of July 24, 1943, reflecting that Captain Edward W. Melchen had taken blood stains to New York for examination by Dr. Alexander Wiener. I have noted in the papers that Melchen and James Barker of the Miami Police Department have been investigating the murder of Sir Harry Oakes in the Bahamas.

I think the fact that they took this material to New York rather than bring it to the Bureau Laboratory should be noted for reference in future dealings with the Miami Police Department.

Respectfully,

L. B. Nichols

I agree

7/27

Yes I think we ought to keep it in mind. Check also with Kitchen.

Attachment

162-1143-200

29 AUG 5 1943

FOR DEFENSE



BUY
UNITED
STATES
SAVINGS
BONDS
AND STAMPS

Noted and approved
8-11-43

Expert to Test Blood Stains in Oakes Mystery

By WARREN HALL

NEW YORK, July 23 (N. Y. News).—Several articles which appear to be bloodstained and which may become vital evidence in the trial of Count Alfred de Marigny for the Bahama murder of Sir Harry Oakes, his father-in-law, were flown here today for tests by one of the world's most eminent serologists.

The two investigators who brought them were tightlipped about their mission, but it was learned that the stains will be tested first to discover whether they were made by human blood, and, if so, whether the blood be that of Sir Harry, American-born gold-mining multi-millionaire whose battered and burned body was discovered July 8 in a room of his 20-room mansion at Nassau.

Fingerprints a Factor

The tests will be made by Dr. Alexander Wiener, head of the serological laboratory of the chief medical examiner's office and a protege of Dr. Karl Landsteiner, discoverer of blood-grouping.

Major Herbert Pemberton, chief of the criminal investigation department of the Nassau police, and Capt. Edward W. Melchen of the Miami police department, who arrived at LaGuardia Field today from Miami, would make no comment on the case.

Ostensibly they came here to compare half a dozen fingerprints found in the murder room with the prints of Count De Marigny, the spade-bearded French sportsman who has been charged with the murder of the fabulously wealthy father of his third wife.

It was learned, however, that the real purpose of their trip was to enlist the services of Dr. Wiener in establishing what may be the key evidence in solving the crime.

The objects they brought with them were not specified but it was said that they were "more than 100" reportedly items for a man's wardrobe.

After Major Pemberton and Captain Melchen had spent two and a half hours in the Records Gallery and fingerprint files at the New York City Police College, they conferred with Acting Lieut. George McNulty who was assigned to Miami during the winter social season for several years and knew Sir Harry and his son-in-law.

Lieut. McNulty turned them over to Detective Tom Bannon of the main office squad, who took them to see Dr. Wiener.

Experts pointed out that if the stains proved to be human blood, Dr. Wiener probably could come closer than any other available criminologist in establishing whether the blood came from the four bludgeon wounds on the body of the 69-year-old gold-mine magnate.

Dr. Wiener, who has spent half of his 39 years in the study of blood, is a specialist in blood.

Heretofore blood tests in criminal cases have been confined largely to determining innocence rather than guilt. If a victim's blood was found on a suspect, it was a strong indication that the suspect had come from the victim.

However, if a sample of blood can be placed in one of 72 categories instead of one of four, the chances of coincidence would become infinitely more remote.

Dr. Wiener predicted recently that human blood may become as distinctive as social security numbers, provided that research is able to identify the innumerable varieties that appear to exist.

The findings in the present case will not be made public here. If they turn out to have any bearing on the case, they probably will first become common knowledge at Count De Marigny's trial.

Major Pemberton, who was assigned to the case by the Duke of Windsor, governor of the Bahamas, said today he was bound by British law not to reveal any evidence "until a case has been adjudicated."

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Harbo _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

JUL 24 1943

WASHINGTON TIMES-HERALD

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ENCLOSURE

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WM:amr

October 4, 1943

PERSONAL AND CONFIDENTIAL

Mr. A. P. Kitchin
Federal Bureau of Investigation
1300 Biscayne
Miami 32, Florida

RE: COOPERATION OF MIAMI POLICE,
MURDER OF SIR HARRY OAKES

Dear Sir:

Reference is made to your letter dated September 3, 1943, in which you set forth the facts and circumstances surrounding the transmission of the evidence by Captains Melchen and Barker, of the Miami Police Department, to New York City for technical analysis in the murder case of Sir Harry Oakes that occurred in the Bahamas.

I have noted therein your statement to the effect that Captain Melchen, probably because of the publicity arising out of the Vincent Christy case, bears an unfriendly and uncooperative attitude toward the Bureau. Captain Barker appears also to have the same attitude, particularly when it is noted from your letter that he protested vigorously the action of Captain Melchen in forwarding to the FBI Laboratory certain bullets and cartridge cases from the Christy case.

You have stated in your letter that the forwarding of evidence in the Oakes case, to New York City, in no way involved a lack of cooperation on the part of the Miami Police Department. I can not agree with your conclusion as it is impossible to separate the actions of the members of the police department from the department itself. Their attitude apparently reflects the general attitude of the Miami Police Department.

You should, in the future, be particularly alert for any facts or circumstances that further evidence an uncooperative attitude on the part of the personnel of the Miami Police Department.

Very truly yours,

John Edgar Hoover
Director

- Tolson
- E. A. Tamm
- Clegg
- Coffey
- Glavin
- Ladd
- Nichols
- Tracy
- Acers
- Carson
- Harbo
- Hendon
- Mumford
- Starke
- Quinn Tamm
- Nease
- Gandy

COMMUNICATIONS SECTION
MAILED 2
OCT 6 1943
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

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RECEIVED READING ROOM
U. S. DEPT. OF JUSTICE

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**Federal Bureau of Investigation
United States Department of Justice**

1300 Biscayne Building
Miami, Florida

September 3, 1943.

Director, FBI.

RE: ~~Cooperation of Miami Police,~~
~~Murder of Sir Harry Oakes.~~

Dear Sir:

Reference is made to Bureau letter dated July 29, 1943, calling to the attention of this office that Press reports concerning the death of Sir Harry Oakes have indicated that certain physical evidence pertaining to the investigation were brought to New York City for technical tests and examination, apparently by members of the Miami Police Department. In this connection, the Bureau desired to know what prompted these Miami police officers to ignore the facilities of the Bureau's Laboratory and carry this evidence to New York City.

Please be advised that the Miami Police Department as an entity had nothing to do with the investigation of the murder of Sir Harry Oakes. Immediately after the Duke of Windsor at Nassau was apprised of the death of Sir Harry Oakes, he personally telephoned Captain Eddie Melchen of the Miami Police Department for aid and assistance in the investigation of this death.

It seems that the Duke of Windsor is personally acquainted with Captain Melchen, the latter having been his bodyguard and escort on numerous occasions when the Duke and Duchess of the Bahamas visited Miami, Florida, in the past. It is also my understanding that because of these former contacts with Captain Melchen, the Duke became favorably impressed with Captain Melchen's police ability.

Captain Melchen, who is a personal friend of Assistant Special Agent in Charge John L. Madala of this office, informed him that after he received the Duke's telephone call pertaining to Sir Harry Oakes' death and his request for Captain Melchen's assistance in the investigation, Captain Melchen contacted City Manager A. B. Curry as well as Chief of Police H. Leslie Quigg to obtain their authority to proceed to Nassau and aid in the investigation at that point. See

During the course of the conversation with the Duke, Captain Melchen determined that a technical man would be necessary in this investigation. He, therefore, requested Chief Quigg and City Manager Curry to allow Captain James O. Barker, also of the Miami Police Department, to accompany him to Nassau.

As the Bureau knows, Captain Barker is an NPA graduate and has been in charge of the Miami Police Department Identification Division for the past five or six years. Because of his training in the NPA school, he has become

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September 3, 1943.

Director, FBI.

quite an expert on fingerprint and other technical examinations. Captains Melchen and Barker, according to my information, directed the investigation of the murder of Sir Harry Oakes at Nassau.

During the course of this investigation, certain latent fingerprints were developed and lifted at the scene of the crime. Certain blood stains and fragments of hair were likewise found at the scene of the crime. These blood stains and hair fragments were taken for a technical analysis and comparison with that of the principal suspect, namely Alfred De Marigny.

As the Press reports indicated, these latent fingerprints, together with the blood stains and hair fragments, were taken to New York City by Captains Melchen and Barker for the necessary technical analysis and comparison.

On August 27, 1943, Captain Melchen was discreetly questioned by Agent Madala as to why the above described evidence was taken to New York City instead of to the Bureau's Laboratory at Washington for the desired technical examination. Captain Melchen seemed somewhat taken aback by this question and appeared obviously embarrassed. He then made the statement "I can't tell you anything about that now but will later. Just don't worry about it." No further attempt was made to press him on this point and Captain Melchen apparently did not care to discuss the matter any further.

It is my opinion, as well as that of Agent Madala, that Captain Melchen will never advise this office of his reason for carrying this evidence to New York City instead of to the Bureau's Laboratory in Washington. Therefore, I can only furnish the Bureau my conclusions as to why this was done, these conclusions being based on Agent Madala's past experiences and contacts with Captain Melchen.

In the first place, I wish to point out to the Bureau that the investigation of the murder of Sir Harry Oakes does not involve the Miami Police Department as a whole in any way. All of Captains Melchen and Barker's activities, travels, and decisions were their own and were not under the supervision or control of Chief of Police H. Leslie Quigg or any of the other high police officials of the Miami Police Department.

Captain Melchen is one of the most active officers in the Miami Police Department. He is presently in charge of the Homicide Squad, which Squad consists of [redacted] and himself. In addition to his duties of investigating homicides in the City of Miami, Captain Melchen voluntarily performs other police duties, such as making investigations for the State

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Director, FBI.

September 3, 1943.

Department, cooperating in investigations by the Post Office Inspectors, as well as the Narcotics Bureau, and assisting in the guarding and protecting of foreign notables upon their arrival or departure from Miami. Captain Melchen has many contacts in the Miami area and is a very hard worker. He has a good reputation in police circles and is always contacted by police officers who come to Miami from other cities in the country to look for fugitives and handle investigations in this City. By the same token, Captain Melchen is frequently travelling outside of the City of Miami for the Miami Police Department in investigations of great importance and local interest.

Agent Madala tells me that Captain Melchen has many friends within the New York City Police Department, particularly in the Identification Division. It is my opinion that Captain Melchen took this evidence to New York City and turned it over to his friends within the New York City Police Department in order that they could get some publicity in connection with this nationally publicized murder of Sir Harry Oakes.

I am also informed that Captain Melchen may perhaps hold some ill feeling towards the Bureau because of the publicity which was given in connection with the solution of the quadruple murder committed by Vincent Christy. As the Bureau recalls, there were several cartridges and bullets found at the scene of the crime by the investigating officers. These bullets and cartridges remained in the custody of Captain Barker of the Miami Police Department for several weeks when it was suggested to Captain Melchen by Agent Madala that he should send the cartridges and bullets to the Bureau's Laboratory in Washington for a technical examination and possible identification with unidentified guns, bullets and cartridges which were then on file in the Laboratory.

I later learned that Captain Melchen sent these bullets and cartridges in the Christy case to the Bureau's Laboratory over the strenuous protest of Captain Barker and the then States Attorney George A. Worley. Why these two officials protested this action I do not know as Captain Melchen never volunteered to explain their attitude.

When the Bureau's Laboratory identified the bullets and cartridges found at the scene of the crime in the Christy case as coming from two guns which were seized from Christy at the time of his arrest by the Jacksonville Police Department, the local Press carried headline stories to the effect that the Bureau was responsible for the solution of the Christy case. In these Press reports, Captain Melchen was given no credit whatever for his part in the solution of the case. Although Captain Melchen never mentioned to either Agent Madala or myself his feelings in the matter, it has come to me from several sources that he resented the credit given to the Bureau by the Press in the solution of this case.

Director, FBI.

September 3, 1943.

I have explained the above situation to the Bureau as a second possibility as to why Captain Melchen had the evidence secured in the Oakes murder case taken to New York City instead of to the Bureau's Laboratory in Washington.

I wish to reiterate at this point that the carrying of the Oakes evidence to New York City in no way involves a situation of poor cooperation on the part of the Miami Police Department with the Bureau in matters of a general criminological nature. I believe that it merely concerns Captain Melchen or Captain Barker personally.

Should in the future Captain Melchen explain to me or to any other Agent in this office, his exact reason for ignoring the facilities of the Bureau's Laboratory in the instant case, the Bureau will be promptly advised.

Very truly yours,

A. P. Kitchen

A. P. KITCHIN, SAC. —

JLM:CSH
94-34

I don't share this view. You can't separate the officers from the Dept.

H.

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO
OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
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Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

See Me _____ ()

Note and Return _____ ()

Remarks:

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Miami, Florida

September 3, 1943.

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September 3, 1943.

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Director, FBI.

September 3, 1945.

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JHM:JSM
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